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**MAYOR AND COUNCIL  
AGENDA  
AUGUST 23, 2011  
6:30PM**

Agenda Items are subject to change. If you have any questions regarding an agenda item please contact the Borough Clerk at 732 776-2999 Ext. 11

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Open Public Meetings Act Statement**
4. **Roll Call**
5. **Ceremonial**  
Administration of the Oath of Office to Captain Stephen Fahnholz
6. **Approval of Minutes** – July 12, 2011 and July 26, 2011
7. **Discussion Items**
  - a. Miniature Golf Course
  - b. Beach Revenue
8. **Public Comment on Agenda Items** – Public Session only on Agenda. We will continue to have a Public Session at the end of this meeting. There is a 5 minute limit on comments.
9. **Ordinances**  
**Introduction**

**ORDINANCE 2011- 16**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 5, ADMINISTRATION OF GOVERNMENT, ENACTING AND AMENDING SECTIONS 5-31.S, USE OF FIRE DEPARTMENT QUARTERS; FIRE APPARATUS**

**ORDINANCE 2011-17**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 286 LITTERING; SOLID WASTE COLLECTION, ARTICLE IV; BRUSH, LEAVES, AND YARD WASTE**
10. **Communications**
  - a. Bingo and Raffle Licenses
    1. Neptune Township American Legion Post #346 BL 6-11
    2. Neptune Township American Legion Post #346 RL 11-11
    3. Bradley Beach PTO RL 12-11
    4. Bradley Beach PTO RL 13-11
  - b. Request from Joseph Kienzlen and Karin Lazarus to use the north end boardwalk on Saturday, September 17, 2011 at 4:30pm
  - c. Request from the Jersey Shore Chapter of the Surfrider Foundation to use the Carmen A. Biase Center on September 10, 2011
11. **Consent Agenda**
  - A. Authorizes payment to Lienholder
  - B. Authorizes a tax refund for Block 16 Lot 10

- C. Authorizes adjustments to the fourth quarter taxes as a result of successful Monmouth County Tax Appeals and a tax refund for Block 87 Lot 9 as a result of a successful State Tax Appeal
  - D. Bill List
  - E. Authorizes Borough participation in the Preferred Provider Organization NJ Direct 10 and Direct 15 under NJ State Health Benefits Program
  - F. Authorizes Borough participation in Health Maintenance Organization Plans under NJ State Health Benefits Program
  - G. Waives hours of construction and related activities associated with the Bank of America roof and HVAC upgrades
  - H. Appointment of Special II Police Officer
  - I. Grant or denial of a Special Permit Parking Space
- 12. Announcements**  
Tourism will present a concert in Riley Park on Wednesday, August 24<sup>th</sup> starting at approximately 7:00pm featuring Marlene VerPlanck and Bucky Pizzarelli- in case of inclement weather, the concert will be held at the Carmen A. Biase Center, 719 Main Street.
- 13. Mayor and Council Reports**
- 14. Public Comments- There is a 5 minute limit on comments**
- 15. Executive Session (Pursuant to N.J.S.A. 10:4-13 et seq. if necessary)**
- 16. Adjournment**
- NEXT MEETING: September 13, 2011 at 6:30 pm**

**ORDINANCE 2011- 16**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 286, LITTERING; SOLID WASTE COLLECTION. ARTICLE IV, YARD WASTE, AMENDING AND ENACTING SECTIONS 26-30.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that the Article heading for Chapter 286, Article IV, of the Revised General Ordinances of the Borough of Bradley Beach shall read as follows:

ARTICLE IV, Leaves, Brush, and Yard Waste

And;

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that Chapter 286-26, Purpose, of the Revised General Ordinances of the Borough of Bradley Beach shall be amended to read as follows:

§ 286-26 Purpose.

The purpose of this article is to adopt regulations and requirements for collection and disposal of leaves, brush and yard waste so as to protect the public health, safety, and welfare and to prescribe penalties for failure to comply with these regulations.

And;

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that Chapter 286-27, Definitions, of the Revised General Ordinances of the Borough of Bradley Beach shall be amended and enacted to change and include the following definitions:

**AUTHORIZED YARD WASTE CONTAINER** – Trash or garbage container with Approved label. The container shall have drain holes to allow water to drain.

**AUTHORIZED LEAF BAGS** – Biodegradable leaf bags.

**BRUSH** – Cut or broken branches from a tree or shrub not exceeding 8 inches in diameter.

**YARD WASTE** – Hedge/yard trimmings and vegetation from flower and gardens.

**LEAVES (leaf)** – One of the expanded, usually green organs borne by the stem of a plant.

And;

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that Chapter 286-28 of the Revised Borough Ordinances of the Borough of Bradley Beach shall be deleted in its entirety as it currently exists and in its place shall be enacted the following:

§ 286-28 Materials to be collected; leaves, brush and yard waste.

Leaves, brush and yard waste may be placed for Borough collection in accordance with the following rules:

(A) Leaves may be placed, loose or bagged, at curbside from April 1 through May 31 and from September 15 through December 1. The collection period may be extended at the discretion of the Borough's Supervisor of Public Works from time to time. Leaves shall be placed no closer than 10 feet to any storm drain inlet. If bagged, leaves may be placed for collection only in authorized biodegradable leaf bags. All leaves placed at any curb must have originated at the property adjacent to the curb at which same are placed for collection.

(B) Brush and shrubs, not more than eight inches in diameter and not in excess of 10 feet in length, may be placed between the curb and sidewalk for collection by the Borough only on days specified for brush collection. Brush will be collected from March through November. Brush will be collected on the second and fourth Mondays in the months of April and October. Brush will be collected in all other months designated above only on the second Monday of each month. There will be no brush collection from December 1 through February 28. In the event of a major storm during these months, Public Works will collect brush until the entire Borough is done. All brush placed at any curb must have originated at the property adjacent to the curb at which same is placed for collection.

(C) Yard waste materials to be collected by the Borough of Bradley Beach shall be drained of all free liquid and then placed at curbside in an authorized yard waste container. The combined weight of any authorized yard waste container and its contents placed for collection shall not exceed 50 lbs. Yard waste will be collected on the brush collection dates. All yard waste placed at any curb must have originated at the property adjacent to the curb at which same is placed for collection.

(D) All brush and yard waste shall be placed at curbside by 7:00 am of the day designated for collection above. No brush or yard waste shall be placed at the curb side more than 72 hours prior to any scheduled collection.

(E) All commercial contractors will be prohibited from disposing of brush and limbs on the Borough streets.

(F) During all times designated for the collection of each, all leaves, brush and yard waste shall be sufficiently separated to allow for the collection of each independently.

And;

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that Section 286- 29 of the Revised Borough Ordinances of the Borough of Bradley Beach shall be amended to read as follows:

§ 286-29 Materials not collected; trees and grass clippings.

A. Trees or parts thereof, including tree limbs or brush exceeding 8 inches in diameter, and stumps of any kind shall not be placed for Borough collection in any form at any time, nor be placed in a manner so as to be collected during regular trash pick-up in the Borough. The disposal of the same is the responsibility of the property owner.

B. Grass clippings shall not be placed for Borough collection in any form at any time nor be placed in a manner so as to be collected during regular trash pick-up in the Borough, but must be either left on the lawn as cut or otherwise disposed of by the property owner or his or her contractor in accordance with County and State regulation.

And;

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Bradley Beach that Chapter 286-30 shall be amended to read as follows:

§ 286-30 Enforcement.

The provisions of the article shall be enforced by the Police Department or the Borough Code Enforcement Officer.

**THIS ORDINANCE** shall become effective upon final passage and publication according to law.

\_\_\_\_\_  
MARY ANN SOLINSKI  
Borough Clerk

\_\_\_\_\_  
JULIE SCHRECK  
Mayor

Introduced: August 24, 2011

Date of Hearing and Adoption: September 13, 2011

Date of Publication: \_\_\_\_\_

\_\_\_\_\_

RESOLUTION NO. 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, N.J.S.A. 54:5 provides for the property owner or a party of interest to redeem a Tax Sale Certificate within a two year period; and

WHEREAS, the following Tax Sale Certificate has been satisfied, said redemption money having been deposited into the Miscellaneous Trust Fund Account; and

WHEREAS, the following lienholder is now due reimbursement for the redemption of the Tax Sale Certificates;

NOW, THEREFORE, BE IT RESOLVED, that a check be drawn to the following lienholder for redemption of said certificate:

LIENHOLDER	CERT. #/PROPERTY LOCATION	REDEMPTION
Independent Investors	#11-00026/608 Newark Avenue Block 7, Lot 19	\$574.99
	Premium Refund:	<u>200.00</u>
	TOTAL:	\$774.99

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to the CFO, Assistant CFO and Borough Auditor.

Seconded by Council Member \_\_\_\_\_ and adopted on roll call by the following vote:

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

August 23, 2011

RESOLUTION NO. 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the property owner of property located at 306 Park Place Avenue, AKA Block 16, Lot 10, inadvertently paid the 3<sup>rd</sup> quarter, 2011 property taxes; and

WHEREAS, the mortgage company of said property also paid the 3<sup>rd</sup> quarter, 2011 property taxes creating a principal overpayment of \$1,825.46; and

WHEREAS, said property owner has requested a refund of the overpayment; and

WHEREAS, 4<sup>th</sup> quarter, 2011, taxes have not yet been billed to offset the overpayment;

NOW, THEREFORE, BE IT RESOLVED, that the property owner listed below be issued a refund of 2011 property taxes in the amount of \$1,825.46.

Stuart Goodman  
306 Park Place Avenue  
Bradley Beach, NJ 07720

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the CFO, Assistant CFO and Borough Auditor.

Seconded by Council Member \_\_\_\_\_ and adopted on roll call by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

August 23, 2011

RESOLUTION NO. 2011-

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the Borough of Bradley Beach was ordered by the Monmouth County Board of Taxation to undertake a revaluation to be effective for 2006; and

WHEREAS, as a result of said revaluation, numerous tax appeals were filed with the Monmouth County Board of Taxation for 2011; and

WHEREAS, several of these appeals were successful and judgments were rendered in behalf of the property owner;

NOW, THEREFORE BE IT RESOLVED, that credit in the total amount of \$55,658.38 be applied to the fourth quarter, 2011, tax billing to reflect the reduction of the assessment for the year 2011;

BLOCK/LOT	ADDRESS	CREDIT
4.01/1	520 Lake Terr.	\$1,536.76
4.01/7	508 Lake Terr.	1,143.37
4.01/8	506 Lake Terr.	1,143.37
4.01/10	502 Lake Terr.	749.98
10/2	220 Lake Terr.	329.94
10/6	213 Lake Terr.	552.02
10/23	204 Newark Ave.	435.27
13/8	117 Cliff Ave.	884.49
18/10	501 Newark Ave.	788.05
23/1	327 Park Place Ave.	577.40
23/9	305 Park Place Ave.	1,795.64
24/6.49	200 Ocean Park Ave., #4F	1,263.92
24/23	218 Ocean Park Ave.	1,011.39
26/11	801 ½ Ocean Ave.	1,376.87
26/12	801 Ocean Ave.	1,808.33
27/2.15	215 Ocean Park Ave., Unit 11	475.88
28/31	318 McCabe Ave.	517.75
38/4	117 McCabe Ave.	508.87
38/13	711 Ocean Ave., Unit 1	1,351.49
38/16.01	707 Ocean Ave., Unit C	890.84
38/16.02	707 Ocean Ave., Unit A	965.71
38/21	102 LaReine Ave.	925.10
41/2	313 LaReine Ave.	1,044.39
41/21	602 Madison Ave.	458.11
49/6	309 Brinley Ave.	1,373.06
58/4	415 Main St.	1,299.46

61/5	503 Fourth Ave.	634.50
65/15	102B Third Ave.	926.37
65/18	106 Third Ave.	2,497.39
66/14	201 Ocean Ave., Condo 4	1,961.87
66/22	201 Ocean Ave., Condo 12	1,411.13
67/6	207 Third Ave.	1,216.97
68/13	310 Second Ave.	436.54
69/2	407 Third Ave.	1,144.64
74/12	304 ½ Evergreen Ave.	1,631.93
78/4	309 Evergreen Ave.	1,139.56
78/9	301 Evergreen Ave.	1,708.07
78/20	28 Madison Ave.	1,428.89
79/9	411 Evergreen Ave.	1,272.81
79/18.02	410 Monmouth Ave.	1,314.68
79/19	414 Monmouth Ave.	1,096.42
80/5	511 Evergreen Ave.	2,600.18
85/2	429 Monmouth Ave.	1,361.64
85/22	408 Burlington Ave.	1,181.44
87/9	408 Bradley Blvd.	1,423.82
88/19	514 Bradley Blvd.	<u>4,062.07</u>
	Total:	\$55,658.38

BE IT FURTHER RESOLVED that a refund check in the amount of \$1,400.13 be issued to Charles Dweck, et al and/or The Irwin Law Firm, P.A., for Block 87, Lot 9 as the result of a successful State Tax Appeal for calendar year 2010.

Seconded by Council Member \_\_\_\_\_ and adopted on roll call by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

**RESOLUTION NO 2011-**

**August 23, 2011**

Mayor Schreck offered the following resolution and moved its adoption:

**BE IT RESOLVED** that upon proper voucher approval, the attached itemized computer printout of bills be received and checks be drawn payable on the Clearing Account in the amount of \$ 350,657.34 and Wire Transfer \$ 67,789.76; and that a copy of the itemized computer printout is posted in the Borough Office for public inspection.

**CLEARING ACCOUNT**

**TOTAL        \$ 350,657.34**

**WIRE TRANSFERS**

**TOTAL        \$ 67,789.76**

**BE IT FURTHER, RESOLVED**, that the Borough Clerk is authorized to forward copies of this resolution, certified to be a true copy, to the Chief Financial Officer, Assistant CFO and Borough Auditor and copy to file.

Seconded by Council Member \_\_\_\_\_ and adopted on roll call by the following vote:

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

August 23, 2011

**RESOLUTION 2011-**

**A RESOLUTION WAIVING HOURS OF CONSTRUCTION AND RELATED ACTIVITIES ASSOCIATED WITH THE BANK OF AMERICA ROOF AND HVAC PROJECT.**

Mayor Schreck offered the following resolution and moved its adoption:

**WHEREAS**, the Bank of America will be undergoing roof replacement and HVAC System upgrade; and

**WHEREAS**, in order not to interfere with the Bank of America hours of operation for the public.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council hereby waives the hours of construction work as specified in Bradley Beach Code Chapter 310 and will permit construction and related activities on Saturday, August 27<sup>th</sup> and Sunday, August 28<sup>th</sup> 2011 between the hours of 8:00am and 6:00pm.

Seconded by Council Member \_\_\_\_\_ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

**CERTIFICATION**

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the August 23, 2011 meeting.

\_\_\_\_\_  
MARY ANN SOLINSKI, RMC, CMC  
Municipal Clerk

August 23, 2011

**RESOLUTION NO. 2011-**  
**APPOINTING A SPECIAL II POLICE OFFICER**

Mayor Schreck offered the following resolution and moved its adoption:

Therefore Be It Resolved by the Mayor and Borough Council of the Borough of Bradley Beach that Schnider A. Exantus is hereby appointed and confirmed effective September 1, 2011, as a Class II Special Police Officer so that he may attend the Police Academy.

Be it further resolved, pursuant to N.J.S.A. 40A:14-146.11, this person shall not commence duties as a special law enforcement officer until successful completion of the Academy training course.

Seconded by Councilman \_\_\_\_\_ and adopted by the following vote on roll call:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

**CERTIFICATION**

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the August 23, 2011 meeting.

\_\_\_\_\_  
MARY ANN SOLINSKI, RMC, CMC  
Municipal Clerk

August 23, 2011

**RESOLUTION 2011-**

Mayor Schreck offered the following resolution and moved its adoption:

WHEREAS, the Borough Staff has reviewed an application submitted by a resident for a designated special parking space in front of their home; and

WHEREAS, the Police Department has completed a site review.

BE IT RESOLVED, that a special parking space is granted/ denied to the following by the Mayor and Council of the Borough of Bradley Beach effective through April 30, 2012:

125 Lake Terrace Avenue

Seconded by Councilman \_\_\_\_\_ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Cotler				
Mr. D'Angelo				
Mr. Engelstad				
Mr. Galassetti				
Mayor Schreck				

**CERTIFICATION**

I, Mary Ann Solinski, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the August 23, 2011 meeting.

\_\_\_\_\_  
MARY ANN SOLINSKI, RMC, CMC  
Municipal Clerk

**REGULAR MEETING**  
**August 23, 2011**

A regular meeting of the Mayor and Council of the Borough of Bradley Beach was held in the council chamber on the above date.

**CALL TO ORDER**

Mayor Julie Schreck opened the meeting with a salute to the flag.

**Sunshine Law**

The meeting has been noticed publicly according to the Open Public Meetings Act requirement for "Annual Notice", and posted on the official bulletin board.

**Roll Call 6:30 PM**

Present: Council: Cotler, D'Angelo, Engelstad, Galassetti  
Mayor Schreck  
Borough Attorney George McGill  
Business Administrator O'Reilly  
Secretary: Municipal Clerk Mary Ann Solinski

**Ceremonial**

Honorable Mark T. Apostolou administered the Oath of Office to Police Captain Stephen Fahnholz and congratulated the Captain on his promotion saying it was an honor and privilege to be asked.

Captain Fahnholz recognized and thanked his family as well as Judge Apostolou. He stated that he is proud to be a member of the Bradley Beach Police Department as well as a member of the New Jersey Policeman's Benevolent Association (PBA). He also recognized Police Chief Guida and his coworkers.

Mayor Schreck announced with great pride that the Bradley Beach Recreation sailors had won this year's Mayor's Cup Regatta in Belmar adding that this is approximately the fourth year that children from Summer Recreation have participated in the program sponsored by the Friends of Belmar Harbor and recreation departments from Avon, Belmar, Bradley Beach, Neptune, Neptune City and Wall Township. Recreation Director Cynthia Brady noted the sailors worked very hard this year and extremely honored to introduce most of the sailors to Council.

## **APPROVAL OF MINUTES**

On Motion by Schreck/Galassetti to approve the minutes for July 12, 2011 and July 26, 2011

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

## **APPROVED MOTION**

### **Discussion Items**

After a brief discussion council decided to they would authorize borough officials to prepare financing and bid specifications for renovation of the Miniature Golf Course as estimated costs between \$180,000 to \$350,000 depending on which elements are utilized in the design. During the discussion Councilmen Engelstad and D'Angelo stated that they feel the course should be bid out to a private investor as Councilman Engelstad stated that money management over the years has been questionable. Councilman D'Angelo cautioned that the course must be run correctly or that the Borough may not make any money after Councilman Cotler estimated that the Borough might recoup construction costs in approximately two and one half years. Other members of Council disagreed and said that the course should continue to be run by the Borough. The Administrator suggested there is a third option where the Borough would fund the course construction and retain the choice to run or bid out as a concession lease. Councilman Galassetti suggested placing a surveillance camera on site to monitor the courses management.

Administrator O'Reilly read a Beach Revenue report to Council

### **Items added or deleted to Agenda**

On motion by Schreck/Cotler to add a request from the Jersey Shore Film Festival to add a rain date of Thursday, September 1<sup>st</sup> for their event at the Fifth Avenue Gazebo to be held on Wednesday, August 31, 2011

On motion by Schreck/Galassetti to add a request from Rosie Blanco-Disbro to hold a birthday party at the Miniature Golf Course on September 7<sup>th</sup> with a rain date of September 8, 2011

On motion to remove the resolution for a special permit parking space from the consent agenda and consideration as a separate resolution

**ORDINANCES**

**INTRODUCTION**

**ORDINANCE 2011-**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 5, ADMINISTRATION OF GOVERNMENT, ENACTING AND AMENDING SECTIONS 5-31.S, USE OF FIRE DEPARTMENT QUARTERS; FIRE APPARATUS**

Action was tabled upon the recommendation of the Borough Attorney.

**ORDINANCE 2011-16**

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CHAPTER 286 LITTERING; SOLID WASTE COLLECTION, ARTICLE IV; YARD WASTE AND ENACTING SECTIONS 26-30

ON MOTION by Schreck/ Galassetti moved to introduction.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

**PENDING ORDINANCE**

**COMMUNICATIONS**

On Motion by Schreck/Galassetti to approve the following Bingo and Raffle Licenses:  
Neptune Township American Legion Post #346 BL 6-11  
Neptune Township American Legion Post #346 RL 11-11  
Bradley Beach PTO RL 12-11  
Bradley Beach PTO RL 13-11

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

**APPROVED MOTION**

On Motion by Schreck/Galassetti to approve a request from Joseph Kienzlen and Karin Lazarus to use the north end boardwalk on Saturday, September 17, 2011 at 4:30pm.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

**APPROVED MOTION**

On Motion by Schreck/Galassetti to approve a request from the Jersey Shore Chapter of the Surfrider Foundation to use the Carmen A. Biase Center on September 10, 2011.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

APPROVED MOTION

On Motion by Schreck/Galassetti to approve a request from the Jersey Shore Film Festival to add a rain date of Thursday, September 1<sup>st</sup> for their event at the Fifth Avenue Gazebo to be held on Wednesday, August 31, 2011

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

APPROVED MOTION

On Motion by Schreck/Galassetti to approve a request from Rosie Blanco-Disbro to use the Miniature Golf Course on September 7<sup>th</sup> for a birthday party with a rain date of September 8, 2011 with a charge for the group rate.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

APPROVED MOTION

## CONSENT AGENDA

ON MOTION by Schreck/Galassetti the following Resolutions were moved to adoption.

ROLL CALL AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck  
NAYS: None

## ADOPTED RESOLUTIONS

Resolution 178 **AUTHORIZES PAYMENT TO LIENHOLDER FOR BLOCK 7 LOT 19**

Resolution 179 **AUTHORIZES A TAX REFUND FOR BLOCK 16 LOT 10**

Resolution 180 **AUTHORIZES ADJUSTMENTS TO THE FOURTH QUARTER TAXES AS A RESULT OF SUCCESSFUL MONMOUTH COUNTY TAX APPEALS AND A TAX REFUND FOR BLOCK 87 LOT 9 AS A RESULT OF A SUCCESSFUL STATE TAX APPEAL**

Resolution 181 **BILL LIST**

Resolution 182 **AUTHORIZES BOROUGH PARTICIPATION IN THE PREFERRED PROVIDER ORGANIZATION NJ DIRECT 10 AND DIRECT 15 UNDER NJ STATE HEALTH BENEFITS PROGRAM**

- Resolution 183      **AUTHORIZES BOROUGH PARTICIPATION IN HEALTH MAINTENANCE ORGANIZATION PLANS UNDER NJ STATE HEALTH BENEFITS PROGRAM**
- Resolution 184      **WAIVES HOURS OF CONSTRUCTION AND RELATED ACTIVITIES ASSOCIATED WITH THE BANK OF AMERICA ROOF AND HVAC UPGRADES**
- Resolution 185      **APPOINTMENT OF SCHNIDER A. EXANTUS AS A CLASS II SPECIAL POLICE OFFICER**

**ADOPTED RESOLUTIONS**

**RESOLUTIONS**

- Resolution 186      **GRANTS A SPECIAL PERMIT PARKING SPACE FOR 125 LAKE TERRACE**
- ON MOTION            by Schreck / Engelstad moved to adoption.
- ROLL CALL            AYES: Cotler, D'Angelo, Engelstad, Schreck
- NAYS: Galassetti

**ADOPTED RESOLUTION**

- Resolution 187      **AUTHORIZES THE BOROUGH STAFF TO WORK WITH THE BOROUGH PROFESSIONALS NEEDED TO BEGIN DEVELOPING THE NECESSARY FINANCIAL STEPS AND BID SPECIFICATIONS FOR THE RENOVATION OF THE MINIATURE GOLF COURSE**
- ON MOTION            by Schreck/Galassetti moved to adoption.
- ROLL CALL            AYES: Cotler, D'Angelo, Engelstad, Galassetti, Schreck
- NAYS: None

**ADOPTED RESOLUTION**

**ANNOUNCEMENTS**

Tourism will present a concert in Riley Park on Wednesday, August 24<sup>th</sup> starting at approximately 7:00pm featuring Marlene VerPlanck and Bucky Pizzarelli- in case of inclement weather, the concert will be held at the Carmen A. Biase Center, 719 Main Street

The Annual Bradley Beach 5K Race will start at the Fifth Avenue Gazebo on Saturday, August 20<sup>th</sup> at 8:30am

**REPORTS**

Councilman Cotler noting pesticides were sprayed two weeks ago on lawns at the beachfront and seeing children running on the lawns barefoot and rolling on the lawns, proposed to put a conditional moratorium on chemical pesticide treatments of municipal properties unless it's strictly approved by Council. He said that he thought sprayed pesticides were only used in the spring and fall and asked for detail regarding why they were being sprayed in the summer. Mayor Schreck replied that his resolution was proposed after the close of the public comment

on items listed on the evening's agenda and noted that several of the Councilman's motions concerning pesticides were made in this manner which she referred to as a gotcha tactic. Councilman Cotler responded that the mayor sets up meetings in such a way that there's no time to make proposals closer to the beginning of the meeting. Councilman Galassetti suggested that Councilman Cotler place proposals on the agendas prior to the Thursday deadline preceding a meeting as the agenda and supporting documents are prepared for distribution to Council on those Thursdays. A discussion ensued after which Councilman Cotler made a motion which no one seconded.

Councilman D'Angelo reported that it has been a good summer and thanked the public for attending council meetings.

Councilman Engelstad thanked Stu Coogan along with the volunteers who made the Annual 5K a huge success.

Councilman Galassetti reported that the Summer Recreation Program was a huge success and thanked Cynthia Brady.

Mayor Schreck gave a brief report on the Sustainable New Jersey Grant application. She also reported that the second HVAC unit will be installed at the senior building at no cost to the municipality and hopes to submit applications for this program for the firehouse and library in the near future.

## **PUBLIC COMMENT**

Harvey Rosenberg noting remarks concerning mismanagement of funds at the golf course suggested that the borough fund the renovations and then lease out the management of the concession providing language in the lease agreement stating that there will be no charge for borough council approved events such as recreation, borough entities fund raisers etc. with a minimum bid of \$35,000 to \$40,000 and a percentage noting that the borough would not have to provide funding for personnel and a private entity could have the course open longer.

Marilyn Rosen noting that while the mini golf course is a jewel of the borough that the Fifth Avenue Gazebo is also one of the jewels in desperate need of repairs to the roof and railings.

## **ADJOURNMENT**

ON MOTION            by Schreck/ Galassetti the meeting was adjourned at 8:19 PM.

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Mary Ann Solinski, RMC, CMC  
Municipal Clerk